

EXHIBIT A

EXHIBIT 1 - Appealed Claims

1. An embolic filtering system used to capture embolic debris in a body vessel, comprising:

an expandable filter assembly including a self-expanding frame moveable between an expanded position and an unexpanded position, the expandable filter being disposed on a guide wire;

a filtering element attached to and movable with the frame;

a sheath having a lumen for receiving the guide wire and having a distal end portion and a proximal end, the distal end portion of the sheath being adapted to receive the expandable filter assembly for maintaining the filter assembly in the unexpanded position and being movable to expose the filter assembly; and

a torque device including:

a handle with a lumen extending therethrough for receiving the guide wire which allows the handle to be directly mountable on the guide wire,

means associated with the handle for locking the guide wire to the torque handle to allow the user to rotate the guide wire,

a side port adapted to receive the proximal end of the sheath which allows a portion of the guide wire to shear the sheath from the guide wire through retraction of the sheath through the side port; and

an extension arm extending from the handle which includes a distal end having an opening adapted to receive both the guide wire and the sheath, the end of the extension arm being disposed longitudinally away from the side port.

2. The embolic filtering system of claim 1, wherein the sheath includes a split seam extending therethrough from the proximal end to a location proximal to the distal end portion to enhance the ability of the sheath to shear as the sheath is retracted through the side port.

3. (Canceled)

4. The embolic filtering system of claim 1, further including a tubular member extending distally from the distal end of the extension arm which includes a lumen aligned with and in communication with the opening of the distal end that is adapted to receive the guide wire and sheath.

5. (Canceled)

6. (Canceled)

7. The embolic filtering system of claim 1, wherein the side port is located at an offset location from the axis defined by the guide wire.

8. A torque device for rotating a guide wire and effecting the splitting of a sheath which is co-axially disposed over the guide wire, the torque device comprising:

a handle having a lumen extending therethrough for receiving the guide wire;

means associated with the handle to lock the guide wire within the lumen of the handle; and

a side port adapted to receive the proximal end of the sheath which allows a portion of the guide wire to shear the sheath from the guide wire through proximal retraction of the sheath through the side port.

9. The torque device of claim 8, wherein the sheath includes a split seam extending therethrough from the proximal end to a location proximal to the distal end portion to cause the sheath to shear as the sheath is pulled through the side port.

10. The torque device of claim 8, wherein the torque device includes an extension arm extending from the handle which includes a distal end having an opening adapted to receive both the guide wire and the sheath, the distal end of the extension arm being disposed longitudinally away from the side port.

11. (Withdrawn)

12. The torque device of claim 10, further including a tubular member extending distally from the distal end of the extension arm which includes a lumen aligned with and in communication with the opening of the distal end that is adapted to receive the guide wire and sheath.

13. The torque device of claim 10, wherein the opening of the distal end of the extension arm is aligned with the lumen of the handle.

14. The torque device of claim 10, wherein the side port is aligned offset from the opening of the distal end of the extension arm.

15. An embolic filtering system used to capture embolic debris in a body vessel, comprising:

a guide wire;

a filter device disposed on the guide wire;

a sheath having a distal end portion and a proximal end, the distal end portion of the sheath being adapted to receive and maintain the filter device in an unexpanded position and removable from the filter device, the sheath having a guide wire lumen for receiving the guide wire; and

a torque device having a handle portion directly mountable on the guide wire to allow the user to rotate the guide wire, the handle having a lumen extending therethrough for receiving the guide wire, the torque device having a side port adapted to receive the proximal end of the sheath which allows a portion of the guide wire to shear the sheath from the guide wire by the retraction of the sheath through the side port.

16. The embolic filtering system of claim 15, wherein at least a portion of the sheath includes a split seam extending therethrough to enhance the ability of the sheath to shear as the sheath is retracted through the side port.

17. The embolic filtering system of claim 15, wherein at least a portion of the wall of the sheath has reduced thickness to enhance the ability of the sheath to shear as the sheath is retracted through the side port.

18. The embolic filtering system of claim 15, wherein the torque device includes:

a locking mechanism associated with the handle for locking the guide wire within the lumen of the handle; and

the side port is located at an offset position from the lumen which receives the guide wire.

19. The embolic filtering system of claim 15, wherein the side port has a funnel shaped opening.

20. The embolic filtering system of claim 15, wherein the torque device includes a component to prevent the guide wire from kinking as the sheath is retracted through the side port.

21. The embolic filtering system of claim 1, wherein the means for locking the handle to the guide wire is attached to the handle.

22. The embolic filtering system of claim 21, wherein the extension arm is integrally formed with the means for locking the handle to the guide wire.

23. The embolic filtering system of claim 1, wherein the extension arm is removable attached to the handle.

24. The embolic filtering system of claim 1, wherein the locking means of the torque device includes a collet associated with the handle which applies force on the guide wire to lock it to the handle.

25. The torque device of claim 8, wherein the locking means includes a collet associated with the handle which applies force on the guide wire to lock it to the handle.

26. The embolic filtering system of claim 15, wherein the locking means of the torque device includes a collet associated with the handle which applies force on the guide wire to lock it to the handle.

27. An embolic filtering system used to capture embolic debris in a body vessel, comprising:

a guide wire;

a filter device disposed on the guide wire;

a sheath having a distal end portion and a proximal end, the distal end portion of the sheath being adapted to receive and maintain the filter device in an unexpanded position and removable from the filter device, the sheath having a guide wire lumen for receiving the guide wire; and

a torque device having a handle portion directly mountable on the guide, the handle having a lumen extending therethrough for receiving the guide wire and a locking mechanism for locking the torque device to the guide wire, a second lumen formed on the handle separate and offset from the guide wire receiving lumen which allows a portion of the guide wire to shear the sheath away from the guide wire by the retraction of the sheath through the second lumen.